

Notice of Allowability	Application No.	Applicant(s)	
	10/620,214	WANG, CHIEN-KUO	
	Examiner	Art Unit	
	Hargobind S Sawhney	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the notice regarding revocation of power of attorney, and the amendment filed on 9/27/04.
2. ☒ The allowed claim(s) is/are 5-7, 10-14, 16 and 17.
3. ☒ The drawings filed on 15 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

1. The notice regarding revocation of power of attorney, and the amendment filed on September 27, 2004 has been entered. Accordingly:

- Claims 1-4, 8, 9 and 15 have been canceled; and
- Claims 5, 10, and 17 have been amended.

Allowable Subject Matter

2. Claims 5-7 and 10-14, 16 and 17 are allowed.

The prior art of record, including Hsu (U.S. Patent No. 6,536,698 B2), does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose a measuring tape assembly comprising:

- a first casing having its upper end formed with a concave portion receiving the convex portion formed in the upper end of a second casing as recited in Claim 5;
- a laser head mounted in the first casing, and further having adjusting screws aligning with the concave portion of the first casing as recited in Claim 10
- the second casing covering the adjusting screws while overlapping the first casing as recited in Claim 10.

The above-indicated combination, including first casing housing a laser head, and the first casing further having a plurality of adjusting screws aligning with the concave portion of the first casing, makes this invention unique.

Hsu (U.S. Patent No. 6,536,698 B2) discloses a measuring tape including a laser head for distance measurements. However, the prior art, including the above-indicated references, does not teach a plurality of adjusting screws and their aligning with the concave portion of the first casing as claimed by the applicant. In addition, the claimed attachment of the first and second halves of the casing, as indicated above, is not shown in the prior art of record.

Therefore, claims 5 and 10 are allowed over prior art.

Claims 6 and 7 are necessarily allowed because of their dependency on the allowed base Claim 5.

Claims 11-14, 16 and 17 are allowed because of their dependency on the allowed base Claim 10.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

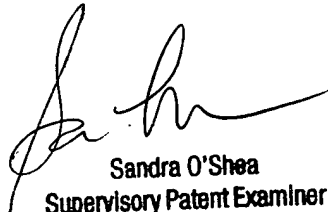
Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 6:15 - 2:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571 272 2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11/5/2004
HSS



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800